

DRAFT

**AMENDMENT TO CONSULTANT SERVICES AGREEMENT
BETWEEN THE CITY OF SUNNYVALE AND MARK THOMAS & CO, INC.
FOR DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR MATHILDA AVENUE
OVERHEAD BRIDGE REHABILITATION PROJECT**

This Amendment to Consultant Services Agreement, dated _____, is by and between the CITY OF SUNNYVALE, a municipal corporation ("CITY") and MARK THOMAS & CO., INC., a California corporation ("CONSULTANT").

WHEREAS, on August 14, 2003, CITY and CONSULTANT entered into a Consultant Services Agreement whereby CONSULTANT would provide professional services necessary for investigation, environmental and right-of-way analysis, design, preparation of construction drawings and contract specifications, consultation services during construction and other services required to complete the project known as Mathilda Avenue Overhead Bridge Rehabilitation (Project # TR-02/03-07); and

WHEREAS, the parties now agree that an Amendment to said Agreement is advisable;

NOW, THEREFORE, THE PARTIES ENTER INTO THIS AMENDMENT TO CONSULTANT SERVICES AGREEMENT:

1. Section 1 – Services by CONSULTANT – Scope of Work (Exhibit "A"):

Add the preparation of an Environmental Impact Report per the attached proposal dated 4/4/2005 (File No. 22-53001, Letter # 207)

2. Section 4 – Payment of Fees and Expenses – Compensation (Exhibit "B"), Basic Compensation (Section 1.0)
For Basic Services (1.1), add the following –

Environmental Impact Report Preparation - \$68,500.00
Basic Services Total is increased to \$1,691,760.00

All other terms and conditions remain unchanged.

IN WITNESS WHEREOF, the parties have executed this Agreement Amendment.

ATTEST:

CITY OF SUNNYVALE ("CITY")

By _____
City Clerk

By _____
City Manager

APPROVED AS TO FORM:

MARK THOMAS & CO., INC.
("CONSULTANT")

By _____
City Attorney

By _____



MARK THOMAS & COMPANY, INC.
Providing Engineering, Surveying and Planning Services

90 Archer Street
San Jose, CA 95112
PHONE (408) 453-5373

April 4, 2005

File No. 22-53001

Letter #207

Mr. Manny Kadkhodayan, P.E.
City of Sunnyvale
Public Works Department
456 West Olive Avenue
Sunnyvale, CA 94088-3707

RE: MATHILDA AVENUE PROJECT

Dear Mr. Kadkhodayan:

Per the City's request we have attached the impacts that we have identified should the City decide to prepare the EIR for the Mathilda Bridge Project. The impacts are based on the assumption that the EIR will take nine months to complete. It is estimated that the EIR will be prepared between mid April to January 2006. The estimate is based on the assumption that the EIR will not require any new project alternatives to be studied and that the alternatives may be qualitatively dismissed based on impacts.

We have identified the following additional services which will be required as a result of processing the EIR in lieu of a Mitigated Negative Declaration.

1. DPA to prepare and process the EIR for the Project

	DPA	
	Hours	Cost
1. Preparation of the Draft EIR	210	\$20,000
2. Review and revise of the Admin Draft EIR	70	\$7,000
3. Circulate/Prepare Final EIR	125	\$12,000
4. Review and Certify the EIR	50	\$5,000
5. Attend six meetings	50	\$6,000
6. Printing of documents		\$5,000
Total	505	\$55,000

**2. MTCO and WKoo to provide Civil/Structural inputs
for the EIR and attend 6 meetings**

	MTCO		Wei Koo	
	Hours	Cost	Hours	Cost
1. Civil/Structural Input	40	\$4,000	8	\$700
2. Attend meetings (6)	50	\$4,800	10	\$1,000
3. Coordination/Review with the City and DPA on the EIR and review of the EIR document	15	\$2,000	8	\$1,000
<ul style="list-style-type: none"> • Admin Draft EIR Review • Assumes no new geometrics/alternatives will be needed • Review of existing project alternatives • EIR support graphics • Meetings with the City • Coordination with sub-consultants 				
Total	105	\$10,800	26	\$2,700

Cost Summary

DPA	\$55,000
MTCO	\$10,800
Wei Koo	<u>\$2,700</u>
Total	\$68,500

**Estimate only*

If you have any questions, please call me. Thank you.

Sincerely,

MARK THOMAS & COMPANY, INC.

Steven Machida
Division Manager